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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PENDLETON DIVISION

OREGON FIREARMS FEDERATION, INC.,  
*et al.*,

Plaintiffs,

v.

TINA KOTEK, *et al.*,

Defendants.

Case No. 2:22-cv-01815-IM (Lead Case)  
3:22-cv-01859-IM (Trailing Case)  
3:22-cv-01862-IM (Trailing Case)  
3:22-cv-01869-IM (Trailing Case)

**THE FITZ AND AZZOPARDI  
PLAINTIFFS' UNOPPOSED MOTION  
FOR A PROTECTIVE ORDER**

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MARK FITZ, *et al.*,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, *et al.*,

Defendants.

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KATERINA B. EYRE, *et al.*,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, *et al.*,

Defendants,

and

OREGON ALLIANCE FOR GUN SAFETY,

Intervenor-Defendant.

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DANIEL AZZOPARDI, *et al.*,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, *et al.*,

Defendants.

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### **Local Rule 7.1 Certification**

I certify that in compliance with Local Rule 7.1, the undersigned counsel has conferred with counsel for defendants and defendant-intervenors, by providing e-mails (1) indicating an intent to move for the protective order and (2) the draft motion papers and order. The *OFF* and *Eyre* plaintiffs do not object, and the defendants and defendant-intervenor Oregon Alliance for Gun Safety take no position on the request.

### **Motion and Memorandum**

For reasons explained in the accompanying Declaration of Matthew French, the proposed protective order attached hereto as Exhibit 1 should be filed and entered by the Court. It is “well-settled that the Court has the authority to shield proprietary information related to the ongoing operations of a business from public review.” *Sitton v. LVMPD*, No. 2:17-cv-00111-JCM-VCF, 2020 U.S. Dist. LEXIS 170877, at \*5 (D. Nev. Sep. 16, 2020) (quoting *United States EEOC v. ABM Indus.*, No. 1:07-cv-01428 LJO JLT, 2010 U.S. Dist. LEXIS 143570, at \*17 (E.D. Cal. Mar. 3, 2010)). There is no reason that details of particular plaintiff’s sales or holdings of weapons need to be released to the public, particularly at this state of the litigation, and “the public interest weighs in favor of protecting businesses from misappropriation and unfair competition.” *PerkinElmer Health Scis. v. Salem*, No. CV 21-1619-DMG (KSx), 2021 U.S. Dist. LEXIS 122148, at \*11 (C.D. Cal. Apr. 9, 2021).

The provisions of the proposed order attached hereto are identical to the “Tier 1” protective order form on this Court’s website, with modifications to the beginning and end to show that the Order was not stipulated, but sought by motion.

### **Conclusion**

For the foregoing reasons, the proposed Protective Order should be entered.

Dated: April 12, 2023.

Respectfully submitted,

s/ James L. Buchal  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 12, 2023, the foregoing **THE *FITZ AND AZZOPARDI*** **PLAINTIFFS' UNOPPOSED MOTION FOR A PROTECTIVE ORDER** will be electronically mailed to all parties enrolled to receive such notice in lead case no. 2:22-cv-01815-IM and in the trailing consolidated case nos. Case No. 3:22-cv-01859-IM, 3:22-cv-01862-IM, and 3:22-cv-01869-IM.

s/ James L. Buchal  
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